

**CITY OF MARION
GENERAL COUNCIL MEETING
28 November 2017**

CONFIDENTIAL REPORT

Originating Officer: Steph Roberts, Manager Human Resources

Subject: Confirmation of Confidential Minutes of the Review and
Selection Committee Meeting held 7 November 2017

Report Reference: GC281117F01

If the General Council so determines, this matter may be considered in confidence under Section 90(2) and (3)(a) of the *Local Government Act 1999* on the grounds that the report contains information relating to the personal affairs of the Chief Executive Officer.



Kris Hanna
Mayor

RECOMMENDATION:

1. That pursuant to Section 90(2) and (3)(a) of the *Local Government Act 1999*, the Council orders that all persons present, with the exception of the following persons: _____ be excluded from the meeting as the Council receives and considers information relating to Review and Selection Committee Minutes upon the basis that the Council is satisfied that the requirement for the meeting to be conducted in a place open to the public has been outweighed by the need to keep consideration of the matter confidential given the information relates to the performance of the CEO.

DISCUSSION:

The purpose of this report is to facilitate the receiving and noting of the confidential minutes from the 7 November 2017 Review and Selection (Committee) meeting. At this meeting the Committee resolved to recommend to Council outcomes regarding the Chief Executive Officer's performance review for 2016/17 and employment agreement.

APPENDICES

Appendix 1: Draft Confidential Minutes of the Review and Selection Committee held Tuesday 7 November 2017

RECOMMENDATIONS

DUE DATES

That Council:

- | | |
|--|-------------|
| 1. Receives and notes the confidential minutes of Review & Selection Committee meeting held on 7 November 2017 (Appendix 1) | 28 Nov 2017 |
| 2. Notes that separate reports will be brought to Council for consideration of any recommendations from the Review and Selection Committee | 28 Nov 2017 |
| 3. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that Appendix 1 to this report, <i>Confirmation of Confidential Minutes of the Review and Selection Committee Meeting held 5 October 2017</i> having been considered in confidence under Section 90(2) and (3)(a) of the Act, be kept confidential and not available for public inspection for a period of 12 months from the date of this meeting. This confidentiality order will be reviewed at the General Council Meeting in December 2017. | Dec 2017 |

**MINUTES OF
CONFIDENTIAL ITEMS**

- **CEO Annual Performance Review 2016/17 and Employment Agreement Report Reference: RSC071117F01**
- **CEO KPI 2016/17 Annual Report, Report Reference: RSC071117F02**
- **CEO KPI 2017/18 1st QTR Report, Report Reference: RSC071117F03**

1. CONFIDENTIAL ITEMS

1.1 CEO Annual Performance Review 2016/17 and Employment Agreement Report Reference RSC071117F01 (including CEO KPI 2016/17 Annual Report, Report Reference: RSC071117F02)

Moved Councillor Appleby, Seconded Councillor Veliskou that:

That pursuant to Section 90(2) and (3)(a) of the *Local Government Act 1999*, the Committee orders that all persons present, with the exception of the following persons: Adrian Skull, Chief Executive Officer, Steph Roberts, Manager Human Resources, be excluded from the meeting as the Committee receives and considers information relating to the Chief Executive Officer (CEO) 2016/2017 Performance Review, upon the basis that the Council is satisfied that the requirement for the meeting to be conducted in a place open to the public has been outweighed by the need to keep consideration of the matter confidential, given the information relates to the performance of the CEO.

Carried Unanimously

6.35pm meeting went into confidence

The CEO provided an overview with committee discussion regarding performance against the KPI's.

KPI A:

- Savings in efficiencies
- Discussion regarding a simple and clear comparison of Total Operating Expenditure (budgeted) versus actual 2016/17 without additional provisions such as depreciation

KPI B:

- More than 9 have been completed
- C1 discussion regarding expanding the walking and cycling network. Detail the works that have been undertaken to expand the cycling network (not just designed)
- VN2 discussion regarding street and public lighting, business case is done but delivery has not commenced.
- VN13 aspirational, work is being done on this

KPI C:

- Significant reduction achieved, still further work required to continue to reduce

KPI D:

- Question regarding comparison of actual FTE from 30 June 16 and 30 June 17, rather than comparison to budget

KPI E:

- 2 staff resigned (1 moved interstate and 1 gained employment in area of study)
- The committee recognised this as a difficult KPI

KPI F:

- Reference to the survey reports would be useful to include for the Council report

KPI G:

- Discussion regarding the level of information provided to the CEO as opposed to Elected Members
- CEO pleased with the feedback, was 1 outlier in the Elected Member feedback, has had the opportunity to discuss directly with them to clarify
- Feedback have acted in line with the values, controlling cost
- Good report says CEO is doing well
- Question / themes
 - Holding staff accountable, managing underperforming staff
 - Building accountability in staff
 - Beneath CEO, suggests some performance issues
- CEO response: Difficult conversations hold confidential with the individuals and have moved some underperformers on
- 1 Managing time commitments
- Concern regarding a comment suggesting withholds information, important to maintain confidentiality where required. CEO reassured by the committee.

7.20pm Councillor Veliskou left the meeting

7.20pm Councillor Veliskou re-joined the meeting

KPI H:

- 3 have been approved by Council in the 16/17 financial year. Mitchell Park Sports and Community Centre not agreed by Council within the 16/17 financial year, rather agreed on 20 June 2016

KPI I:

- As above, Mitchell Park commitment fell outside the 16/17 financial year

KPI J:

- Discussion regarding project progress

7.45pm Adrian Skull and Steph Roberts left the meeting

Moved Councillor Veliskou, Seconded Councillor Appleby that the Review and Selection Committee determines that the following recommendations be proposed to Council regarding the outcomes of the Chief Executive Officer 2016/17 performance review:

- | | | |
|----|---|------------|
| 1. | That the Chief Executive Officer has achieved the following Performance Ratings for 2016/17: | 7 Nov 2017 |
| | <ul style="list-style-type: none"> • KPI A – 4 • KPI B – 5 • KPI C – 5 • KPI D – ? • KPI E – 4 • KPI F – 5 • KPI G – 5 • KPI H – 5 • KPI I – 4 • KPI J – 2 | |
| 2. | That the Chief Executive Officer has achieved an overall performance rating of 4.3. The Committee considered the CEO performance highly commendable as there has been excellent progress overall but there still needs to be greater accountability and delivery of commitments in some sections of the organisation. | 7 Nov 2017 |
| | | 7 Nov 2017 |
| 3. | That Council note the overall 360-degree feedback results to be used for conversation with the CEO about his performance in conjunction with the KPI results. | 7 Nov 2017 |
| | | 7 Nov 2017 |
| 4. | That Council extend the CEO Employment Agreement for a four year term, up to 28 August 2022. | |
| 5. | To endorse a CEO remuneration package based on a 2% increase to the cash, superannuation and motor vehicle components, to be applied from the date of his last remuneration increase. | 7 Nov 2017 |
| 6. | In accordance with 91(7) and (9) of the Local Government Act 1999 the Committees orders that this report, all appendices and the minutes arising from this report having been considered in confidence under Section 90(2) and (3)(a) of the Act be kept confidential and not available for public inspection for a period of 12 months from the date of this meeting. This confidentiality order will be reviewed at the General Council Meeting in December 2017. | Dec 2017 |

Carried Unanimously

7.35pm Adrian Skull and Steph Roberts re-joined the meeting

7.35pm the meeting came out of confidence

1.2 CEO KPI 2016/17 Annual Report, Report Reference: RSC071117F02

Moved Councillor Veliskou, Seconded Councillor Appleby that:

That pursuant to Section 90(2) and (3)(a) of the *Local Government Act 1999*, the Review and Selection Committee orders that all persons present, with the exception of the following persons: Adrian Skull and Steph Roberts be excluded from the meeting as the Review and Selection Committee receives and considers information relating to CEO Key Performance Indicators for Quarter 4 2016/17 (Annual Confidential Report), upon the basis that the Council is satisfied that the requirement for the meeting to be conducted in a place open to the public has been outweighed by the need to keep consideration of the matter confidential given the information relates to personal affairs of the Chief Executive Officer.

Carried Unanimously

7.35pm the meeting went into confidence

Moved Councillor Veliskou, Seconded Councillor Appleby that the Review and Selection Committee:

1. Notes this report 7 Nov 2017
2. In accordance with 91(7) and (9) of the Local Government Act 1999 the Committees orders that this report, all appendices and the minutes arising from this report having been considered in confidence under Section 90(2) and (3)(a) of the Act be kept confidential and not available for public inspection for a period of 12 months from the date of this meeting. This confidentiality order will be reviewed at the General Council Meeting in December 2017. Dec 2017

Carried Unanimously

7.36pm the meeting came out of confidence

1.3 CEO KPI Report Quarter one 2017/18, Report Reference: RSC071117F03

Moved Councillor Appleby, Seconded Councillor Veliskou that:

That pursuant to Section 90(2) and (3)(a) of the *Local Government Act 1999*, the Committee orders that all persons present, with the exception of the following persons: Adrian Skull, Chief Executive Officer, Steph Roberts, Manager Human Resources, be excluded from the meeting as the Committee receives and considers information relating to the Chief Executive Officer (CEO) KPI Report Quarter 1 2017/18, upon the basis that the Committee is satisfied that the requirement for the meeting to be conducted in a place open to the public has been outweighed by the need to keep consideration of the matter confidential, given the information relates to the performance of the CEO.

Carried Unanimously

7.36pm the meeting went into confidence

Moved Councillor Appleby, Seconded Councillor Veliskou that the Review and Selection Committee:

1. Notes the CEO's Key Performance Indicators for the year to date. 7 Nov 2017
2. In accordance with 91(7) and (9) of the Local Government Act 1999 the Committees orders that this report, all appendices and the minutes arising from this report having been considered in confidence under Section 90(2) and (3)(a) of the Act be kept confidential and not available for public inspection for a period of 12 months from the date of this meeting. This confidentiality order will be reviewed at the General Council Meeting in December 2017. Dec 2017

Carried Unanimously

7.36pm meeting came out of confidence